

From: Jack Cox
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

To Whom it may concern,

I dislike to proposed and revised proposed Microsoft Settlements for several reasons:

- 1) The agreement provides too many simple ways that Microsoft can defeat the penalties stipulated in the agreement.
- 2) The provision allowing Microsoft to not reveal protocols due to security concerns. Every protocol in the system can be covered by this one exclusion. Any protocol can be used to break a Windows system given the correct circumstances.
- 3) Licenses the protocol specifications in a reasonable and non-discriminatory fashion leaves too much room for MSFT to charge a high figure for the specification, thereby locking out all startup/individual developers from using the specification.
- 4) None of the licensing provisions cover non-commercial or open-source development initiatives. Therefore, MSFT could freely not license their protocols to open-source development groups.

These 4 reasons are just the beginning. Given the proven past behavior of Microsoft, and given its current behavior against current competitors (Real Networks, Novell, Sun/Java, and others), the proposed remedies are not heavy enough.

Thanks for listening.

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